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**UNITED STATES DISTRICT COURT**

**DISTRICT OF OREGON**

**EUGENE DIVISION**

**UNITED STATES OF AMERICA**

**6:22-cr-00200-001-AA**

**v.**

**GOVERNMENT'S SENTENCING  
MEMORANDUM**

**ANDREW THOMAS TAGER,**

**Defendant.**

Defendant found a young 10-year-old girl online and manipulated her into producing sexually explicit videos that he carefully directed. When she considered stopping, he threatened to expose her and make those videos public. This predatory behavior warrants the jointly recommended 195-month sentence with a 15-year term of supervised release to follow.

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## **FACTUAL BACKGROUND**

### **I. The Offense Conduct**

In May of 2018, when defendant was 28 years old, he began communicating with a minor female, MV1, age ten, over the internet application Musical.ly (now known as TikTok). Defendant posed as a female employee of Musical.ly and encouraged MV1 to participate in a fictional “Crown Program,” telling her that by sending pictures and photos she could earn a “Crown” that MV1 believed would allow her to get access and privileges that were not available to everyone on the application. As part of the program, defendant directed MV1 to produce and send him pornographic pictures and video through the internet application Kik Messenger.

Defendant’s instructions to MV1 included explicit direction on how MV1 should pose and move, what she should wear, what props she should use, and how long the videos needed to be. He later told MV1 that if she quit the program, her videos would be released, and people could go and subscribe to view her gallery of photos and videos.

When MV1’s parents found the sexually explicit photos and text exchanges on the victim’s phone, they reported the conduct to the police. After extensive investigation, law enforcement was able to identify defendant and arrest him in North Carolina. A review of records belonging to defendant’s email addresses found video files of child pornography.

### **II. The Charges**

On August 12, 2019, defendant made his initial appearance on a criminal complaint and was ordered detained as a risk of non-appearance and as a danger to the community. ECF Nos. 7 & 8. Following plea negotiations, the government filed an information on May 31, 2022, that charged defendant with one-count of production and attempted production of child pornography.

and one forfeiture allegation. ECF No. 40. On June 9, 2022, defendant waived indictment and pleaded guilty to production and attempted production of child pornography. ECF No. 47.

### III. The Plea Agreement, Guideline Computation & Sentence Recommendation

Defendant agreed to plead guilty to the information and the parties agreed to jointly recommend a sentence of 195-months' imprisonment. The government agrees with the following PSR computations:

<b>Enhancement</b>	<b>Government's Position</b>
Base— U.S.S.G. § 2G2.1(a)	32
Victim under age 12 — U.S.S.G. § 2G2.1(b)(1)(A)	+4
Sexual Act — U.S.S.G. § 2G2.2(b)(2)(a)	+2
Misrepresentation of ID to induce minors — U.S.S.G. § 2G2.1(b)(6)	+2
Acceptance of Responsibility— U.S.S.G. § 3E1.1	-3
<b>Adjusted Total Offense Level</b>	<b>37</b>
<b>Criminal History Category</b>	<b>I</b>
<b>Resulting Guideline Range</b>	<b>210-262 months</b>

The government will recommend a variance down to the recommended sentence of 195 months' imprisonment.

### DISCUSSION

Defendant preyed on young girls on the internet. He offered them popularity online by pretending (as a woman in this case) to run a program where victims could earn “crowns” or points when they completed certain tasks. Those tasks included making videos. Knowing what a lure online popularity could be, when he found this victim, he coached her and manipulated her

into making sexually explicit videos that escalated over time. Once she was under his spell, she could not get out because she feared he would expose her. At one point he even told her that she did not make the rules before complimenting her on a very explicit video he told her to make. Thankfully her parents discovered what was happening and contacted the police. They not only put an end to defendant's ability to victimize MV1, but also undoubtedly saved other children who defendant was attempting to entice to join this program.

Defendant's crimes are serious and put children in the community at risk. The recommended sentence of 195 months' imprisonment with 15-years of supervised release to follow provides just punishment, protects the community and provides adequate deterrence. With this sentence, there will also be some closure for MV1 and her family. Hopefully, the defendant will be able to take advantage of programs in prison that will help him address what drove his desire to manipulate and abuse children.

### **CONCLUSION**

Based on the foregoing, the government recommends the Court impose a sentence of 195 months, followed by a 15-year term of supervised release.

Dated: September 14, 2022

Respectfully submitted,

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/s/ Ashley R. Cadotte  
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